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MEMORANDUM OF CONFERENCE

May 12, 1962

BETWEEN: Mr. Donald W. Thomas, Legal Counsel, The Whirlpool Corporation  
Benton Harbor, Michigan

and

Mr. A. T. Spiher, Jr., Food Additive Petitions Control Branch

SUBJECT: Combustion product gas.  
Food Additive Petition 751.

Mr. Thomas called without previous appointment to discuss the above petition. He said that he had received my letter of May 10, 1962, in which we filed the petition, and said that we may need additional data on meat. These data would be needed to establish that the treatment of meat would not serve to cause the meat to retain its fresh red color longer than meat not so treated.

I explained to Mr. Thomas the way in which petitions are handled, and explained the question which we have concerning possible deception of the consumer where treatment of the meat leads to longer retention of the fresh red color. I said that they could either submit additional data on this point or they could request withdrawal of the portion of the petition for meat, and explained the different courses of action.

Mr. Thomas said that they had data concerning the retention of red color in meat, and they will get it together. He was concerned, however, about whether he should submit this as an amendment which would start the time clock over, or should withdraw animal products from the petition, to submit later on.

I said that this was a decision which he would have to make in the light of the explanation we had given him, and I suggested that he submit the data which they have and let us look at it before they did anything additional, because what they had done might be sufficient for our people.

I further suggested that when he submit the information for meat, he should supplement the data in the petition to explain exactly how the combustion product gas is to be used on the various commodities named in their petition. He said that he would do so. Briefly, he said that the gas was to be used as the atmosphere in a cold storage room.

In response to a question, he said that they had tested the effluent from their generator and were satisfied that the gas complied with the requirements established in the food additive regulation.

cc: FA:DF,DP,BE,DOH,BPS  
ATSpiher:nrg:5/25/62  
R/D:AFS:nrg:5/24/62



ADMINISTRATIVE CENTER • BENTON HARBOR, MICHIGAN

July 23, 1962

Mr. Alan T. Spiher, Jr.  
Food and Drug Administration  
Department of Health, Education and Welfare  
Washington 25, D. C.

Subject: Food Additive Petition No. 751

7A 3/9/62

Dear Mr. Spiher:

We are in receipt of your letter of May 10, 1962, advising us of the filing of Food Additive Petition No. 751 with an effective filing date of March 24, 1962.

In view of your comments in the above-mentioned letter, we now request that our petition as originally presented be amended so as to delete any reference to animal products wherein paragraph 121.1060, section (c) of Part 121, Sub-Part D of Title 21 would now read as follows:

- (c) It is used or intended for use to displace or remove oxygen in the processing, storage, or packaging of citrus products, vegetable fats and vegetable oils, coffee, wine, fruit and fruit products and vegetable and vegetable products.

The following comments are submitted to further supplement the Remarks section of our first letter of March 6, 1962.

In food studies conducted at the Whirlpool Research Laboratories involving the use of combustion product gas as set forth in paragraph 121.1060 of Title 21, fruits and vegetables were stored under refrigeration at temperatures between

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32° and 45° F. and in their normal distribution containers, that is, baskets, crates and boxes. Products so stored had a shelf life of from three to five times that of air-stored food held at the same temperature. The results of one such study involving apples stored in air versus apples stored in conventional controlled atmosphere versus apples stored in combustion product gas are presented in the attached table. It will be noted that apples stored in combustion product gas had firmer flesh and a lower incidence of scald than did apples stored either in air or conventional controlled atmosphere even though the apples in combustion product gas were in storage for a longer period of time.

The combustion product gas under study at Whirlpool would most likely be used in the following general areas:

1. Fresh fruit and vegetable storage
2. Processors - storage, packaging and processing
3. Transportation

Because of these diverse applications, our petition requests approval for fruit and vegetable "products" as well as the natural, original raw fruits and vegetables.

To expand on the use of combustion product gas by food processors, the following examples are presented:

1. Storage of fruits and vegetables in order to have better quality control, improve yield and extend packaging season.
2. Packaging of processed foods in inert gases, i. e., nitrogen and/or carbon dioxide to prevent oxidative changes that may develop during storage.
3. Use of gas mixtures in certain processing steps as a "blanket" to keep out oxygen and prevent the associated undesirable changes.

Mr. Alan T. Spiher, Jr.

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We are hopeful that the requested amendment to the petition as well as the supplemental information presented above will clear up any questions concerning Food Additive Petition No. 751 and that favorable action will be shortly forthcoming.

Very truly yours,

WHIRLPOOL CORPORATION

By Allen E. Mahaffay  
Vice President